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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**

8 Cory Dean Hamilton, ) No. CV11-0073 PHX DGC (DKD)  
9 Petitioner, ) **ORDER**  
10 v. )  
11 Dennis Smith, )  
12 Respondent. )  
13 \_\_\_\_\_ )

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15 Petitioner Cory Dean Hamilton has filed a petition for writ of habeas corpus pursuant  
16 to 28 U.S.C. § 2241. Doc. 1. United States Magistrate Judge David K. Duncan has issued  
17 a report and recommendation (“R&R”) recommending that the petition be denied and  
18 dismissed with prejudice. Doc. 11. No objection has been filed, which relieves the Court  
19 of its obligation to review the R&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3);  
20 *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114,  
21 1121 (9th Cir. 2003). The Court will accept the R&R and deny the petition.

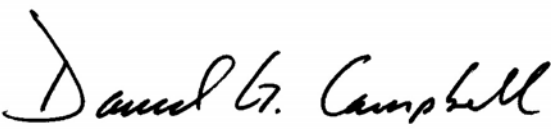
22 **IT IS ORDERED:**

- 23 1. The R&R (Doc. 11) is **accepted**.  
24 2. The petition for writ of habeas corpus (Doc. 1) is **denied and dismissed with**  
25 **prejudice**.  
26 3. A certificate of appealability and leave to proceed *in forma pauperis* on appeal  
27 are **denied**  
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4. The Clerk is directed to **terminate** this action.

DATED this 18<sup>th</sup> day of July, 2011.

  
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David G. Campbell  
United States District Judge